

Lake County Right to Life, Inc

100 North Atkinson Rd, Suite 110E

Grayslake, Illinois, 60030

To: Members of the ULC Drafting Committee

Re: Uniform Definition of Death Act

Lake County Right to Life is a 501 c4 advocacy organization dedicated to the legal protection of those at great risk in our society by abortion, infanticide and euthanasia. Our organization is non-denominational and composed of professionals and non-professionals who are united by our common cause.

I remember the legislative fight when Brain Death/UDDA was being waged in every state. I have lobbied against the UDDA in my state legislature many years ago. Although the UDDA passed there are many valid concerns regarding defining death by the functioning or non-functioning of a single organ. These concerns are both a matter faith and the ethical practice of medicine.

Now the drafting committee has changed the original language of the “irreversible cessation of all functions of the brain including the brain stem” to “permanent coma, permanent cessation of spontaneous respiratory functions, and permeant loss of brain stem reflexes...” There is a grave danger here. Medicine knows that the diagnosis of brain death can be rendered very quickly, including a bedside diagnosis. This change does not allow for brain injured individuals the time needed to allow a comatose person to evolve to PVS state and that statically 50% of PVS people following traumatic brain injury will recover consciousness.

I m a retired Critical Care RN, my unit was actively involved in Organ donation involving brain dead patients. I know first hand

the criteria/protocols used to prepare patients for donation. I am aware of the critical need for organs. My concern is that the family is usually totally unaware of the time span between brain death diagnosis and organ transplant (often days)- Illinois notifies our Regional Organ Bank of any protentional donor by law on admission). Most people are urged in Illinois and other states to sign their drivers license card, thereby making then an organ donor under informed consent laws.

Trust is crucial in medicine. This change in definition may very well lead to an abuse of informed consent. Tests such as the apnea test are required, although everyone knows this test is extremely dangerous. Under the new UDDA the family is not fully informed on tests mandated to the diagnosis of brain death.

Informed Consent is a foundation in medicine. To further my argument, brain death is a value judgement which eliminates the possibility that the person's brain is injured and time may heal that injury. The new language will allow people who are alive, although injured, to be declared brain dead.

We all know that there are many instances where brain dead diagnosed people are not dead but they have been labeled dead and their care badly impaired. I do not need to illustrate on these well-known cases but the bottom line is the trust families place in medicine has been irrevocably injured, I dare say especially in the cases of minorities as well as the disability community.

In conclusion the proposed language allows for more incorrect determinations of death which will result in people who are really alive and possibly could recover being pronounced dead. This undermines the very essence of the medical profession which is and always has been **To Do No Harm**.

In Defense of Life,

Bonnie Quirke, RN,
President Lake County RTL